

IN THE UNITED STATES COURT FOR THE MIDDLE
DISTRICT FOR THE NORTHERN DIVISION OF ALABAMA

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

BARRY RANDALL THOMAS 178628 :

PLAINTIFF, PRO SE :

V. :

CIVIC ACTION No.

: 2:07CV630-MEF

DR. DARBOUZE, M.D.; MS. WELSON,
D.O.N.; DAVENPORT, WARDEN. :

DEFENDANTS

MOTION TO PROCEED WITHOUT PREPAYMENT OF FEES

I, BARRY R. THOMAS, A U.S. CITIZEN, MAKE THIS MOTION TO PROCEED WITHOUT PREPAYMENT OF FEES PURSUANT TO TITLE 28 U.S.C. #1915 IN ORDER TO PROCEED IN FORMA PAUPERIS IN THIS ACTION. I AM UNABLE TO MAKE PREPAYMENT OF FEES OR TO GIVE SECURITY THEREFOR, AND IT IS MY BELIEF I AM ENTITLED TO REDRESS. I HAVE NOT DIVESTED MYSELF OF ANY PROPERTY, MONIES OR ANY ITEMS OF VALUE FOR THE PURPOSE OF AVOIDING PAYMENT OF SAID FEE.

I. THIS IS FOR PURPOSE OF FILING A TITLE 28 U.S.C. 1983 ACTION. I BELIEVE MY CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED AND I AM ENTITLED TO REDRESS

II. MY RESIDENCE IS EASTERLING CORRECTIONAL FACILITY, 200 WALLACE DRIVE, CLIG AL. 36017-2613, ATTENTION E2-6A, AIS 178628

III. I AM SINGLE AND HAVE NO DEPENDENTS

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IV. I AM UNEMPLOYED. I WAS LAST EMPLOYED IN 1997 AT A COMMERCIAL PRINTING COMPANY IN BIRMINGHAM. I HAVE NO REAL PROPERTY OR ASSETS. I HAVE NO DEBTS OR OBLIGATIONS.

V. I PROVIDE FOR BASIC LIVING NEEDS AS ARE FURNISHED BY THE ALABAMA DEPARTMENT OF CORRECTIONS AND MINIMAL CONTRIBUTIONS AS DEPICTED ON MY INMATE ACCOUNT. SEE ATTACHED CERTIFICATE.

VI. I UNDERSTAND THAT ANY FALSE STATEMENT OF A MATERIAL FACT CONTAINED HEREIN MAY SERVE AS A BASIS OF PROSECUTION AND CONVICTION FOR PERJURY OR MAKING FALSE STATEMENTS. FURTHER, I CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

6-24-07

DATE

Barry R. Thomas

PLAINTIFF, PRO SE

AIS 178628/E2-6A
EASTERLING CORR. FAC.
200 WALLACE DR.
CLEO AL. 36017-2613

VII. I HEREBY AUTHORIZE THE AGENCY HAVING CUSTODY OF ME TO COLLECT FROM MY PRISON ACCOUNT AND FORWARD TO CLERK OF THE UNITED STATES DISTRICT COURT PAYMENTS IN ACCORDANCE WITH 28 U.S.C. #1915(b)(2). I UNDERSTAND THAT EVEN IF I AM ALLOWED TO PROCEED IN FORMA PAUPERIS OR PAY A PARTIAL FILING FEE AND EVEN IF MY CASE IS LATER DISMISSED FOR ANY REASON, I AM OBLIGATED TO THE CLERK OF COURT \$350.00.

6-24-07

DATE

Barry R. Thomas

PLAINTIFF, PRO SE